

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

19704 U.S. PTO  
10/660350  
09/11/03

Docket No. 823.0111USV Anticipated Classification of this Application Class:                      Subclass: Prior Application: 09/991,261    filed Nov. 16, 2001 Examiner: Jean F. Vollano                      Art Unit: 1621
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**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Dear Sir:

This is a request for filing a \_\_\_\_\_ continuation-in-part \_\_\_\_\_ continuation **X** divisional application under 37 CFR 1.53(b), of pending prior application, Serial No. **09/991,261** filed on **November 16, 2001** for **ORTHO SUBSTITUTED CHIRAL PHOSPHINES AND PHOSPHINITES AND THEIR USE IN ASYMMETRIC CATALYTIC REACTIONS.**

The filing fee is calculated below:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE
TOTAL CLAIMS	56- 20 =	36	x \$18.00	\$750.00
INDEPENDENT CLAIMS	2- 3 =	0	x \$84.00	\$648
MULTIPLE DEPENDENT CLAIM FEE				x \$280.00 = \$0
<b>TOTAL FILING FEE</b>				<b>\$750.00</b>
1/2 FILING FEE FOR SMALL ENTITY				\$0

1. **XX** A check in the amount of \$ **648.00** is enclosed.

**- or -**

2. **XX** The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

3. \_\_\_\_\_ Cancel in this application original claim(s) \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

4. **XX** A copy of the executed oath or declaration from U.S. Application Serial No. **09/991,261** filed **November 16, 2001** is enclosed.

5. \_\_\_\_\_ A new oath or declaration, new formal drawings and an affidavit or declaration verifying it as a true copy is enclosed.

6. XX Amend the specification by inserting before the first line the sentence: ---  
This is a \_\_\_\_\_ continuation, X division, of application serial no. 09/991,261 filed November 16, 2001.---

7. XX The prior application is assigned of record to: **THE PENN STATE RESEARCH FOUNDATION**

8. XX The power of attorney in the prior application is to: Paul D. Greeley.

a. The power appears in the original papers in the prior application.

b. Address all future communications to : **Paul D. Greeley, ESQ.**

**OHLANDT, GREELEY, RUGGIERO & PERLE, L.L.P.**  
**ONE LANDMARK SQUARE, 10<sup>th</sup> FLOOR**  
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9. XX A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)


10. XX Priority of U.S. Patent Application Serial No. 09/991,261 filed November 16, 2001 under 35 U.S.C. 120 and U.S. Provisional Patent Application Serial No. 60/301,221 filed June 27, 2001 and U.S. Provisional Patent Application Serial No. 60/249,537 filed November 17, 2000 in the United States is claimed under 35 U.S.C. §119(e).

11. XX I hereby verify that the attached papers are a true copy of prior application serial no. 09/991,261 as originally filed on November 16, 2001.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

September 11, 2003

(Date)



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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EL995625794US**, service under 37 CFR §1.10 and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 11 2003.

Tara L. Yendell

(Typed name of person mailing paper)



(Signature of person mailing paper)